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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Arthur A. Tartaglia
TITLE : **SURGICAL MARKER**
APPLICATION NO. : 10/657,889
FILED : September 9, 2003
CONFIRMATION NO. : 2637
EXAMINER : Aaron P. Roane
ART UNIT : 3739
LAST OFFICE ACTION : August 25, 2005
ATTORNEY DOCKET NO. : DERZ 2 00001

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The initial period for responding to the Office Action issued May 17, 2005 expired on August 17, 2005.

The requested extension and fee are as follows:

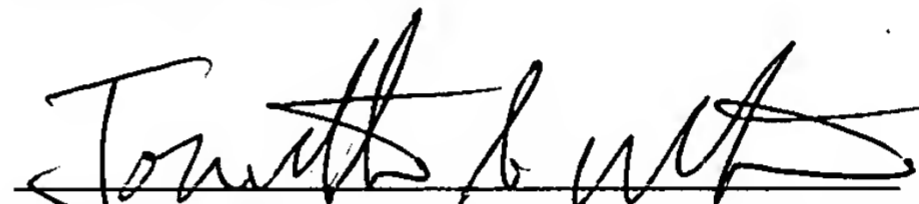
	LARGE ENTITY FEE	SMALL ENTITY FEE	AMOUNT ENCLOSED
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120.00	\$60.00	
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450.00	\$225.00	
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1,020.00	\$510.00	510.00
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1,590.00	\$795.00	
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2,160.00	\$1,080.00	

Payment for the filing of this Petition for Extension of Time under 37 CFR 1.136(a) is authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

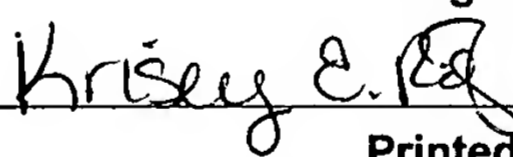
November 17, 2005
Date


Scott A. McCollister, Reg. No. 33,961
Jonathan A. Withrow, Reg. No. 54,548
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2518
216/861-5582

CERTIFICATE OF MAILING

I certify that this Petition for Extension of Time Under 37 C.F.R. 1.136(a) and accompanying document(s) are being

- ☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to: MAIL STOP AFTER FINAL, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AMENDMENT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:	Signature 
Date November 17, 2005	Printed Name Krisey E. Riley